

HOUSE BILL 87

Introduced by Fagg

12/29	Introduced
12/30	Referred to Local Government
1/04	First Reading
1/05	Hearing
1/05	Tabled in Committee

HOUSE BILL NO. 87
INTRODUCED BY FAGG

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A LIEN ON PROPERTY IN A RURAL SPECIAL IMPROVEMENT DISTRICT TO BE EXTINGUISHED WHEN THE PROPERTY IS SOLD AT PUBLIC AUCTION FOR LESS THAN THE UNPAID ASSESSMENTS; REQUIRING THAT THE BALANCE OF THE UNPAID ASSESSMENTS REMAIN AN OBLIGATION OF THE REVOLVING FUND; AND AMENDING SECTION 7-12-2184, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-12-2184, MCA, is amended to read:

"7-12-2184. Lien arising due to loan from revolving fund. (1) Whenever any a loan is made to any a rural special improvement district fund from the revolving fund, the revolving fund ~~shall--have~~ has a lien therefor on the land within the district which that is delinquent in the payment of its assessments, and on all unpaid assessments and installments of assessments on such the district (whether delinquent or not), and on all money thereafter coming into such the district fund, ~~to.~~ The lien is for the amount of such the loan, together with interest thereon on the loan from the time it was made at the rate or percentage borne by the bond or warrant for payment of which, ~~--or--of--interest~~ thereon, ~~such~~ the loan was made.

(2) If, after all the bonds and warrants issued on any a rural special improvement district have been fully paid and all moneys money remaining in such the district fund have has been transferred to the revolving fund, there still remains a debt from the district to the revolving fund, the board of county commissioners may foreclose the lien upon property within the district owing unpaid assessments to the district for the purpose of paying off said the loan to the revolving fund.

(3) If the board of county commissioners forecloses upon property in a rural special improvement district under the tax deed process and sells the land at public auction for less than the unpaid assessments, the lien upon the property is extinguished and the balance remaining on the unpaid assessments remains an obligation of the revolving fund.

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